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with particularity in its final order the reasons for requiring additional conditions with citations to the record to support that decision.

(I) Judicial review. Any person aggrieved by a decision of the Board of County Commissioners on an application under review may challenge the decision in the Circuit Court for the Second Judicial Circuit, but only if the person participated at the hearing. If the aggrieved person decides to challenge the decision, he or she shall file a petition for writ of certiorari with the clerk to the circuit court not later than 30 days after the decision of the Board of County Commissioners is filed with the clerk to the Board of County Commissioners. The record before the circuit court shall consist of the complete record of the proceedings before the Board of County Commissioners. (Ord. No. 97-10, § 13, 6-10-97; Ord. No. 03-21, § 3, 8-26-03; Ord. No. 03-22, § 3, 8-26-03)

**Sec. 10-1490—10-1525. Reserved.**

**DIVISION 5. SUBSTANTIVE STANDARDS AND CRITERIA**

**Sec. 10-1526. Generally.**

(a) It is the policy of the Board of County Commissioners that the subdivision and/or development of land in the county shall be appropriately regulated and shall proceed in a safe, orderly, efficient, economical and environmentally sound manner.

(b) Land shall not be subdivided or developed until provision has been made for public facilities and improvements in accordance with the comprehensive plan and county requirements.

(c) Unless adequate methods of correction are formulated and approved, land which is determined to be unsuitable for development due to poor soil quality, flooding, drainage or other features likely to be harmful to the health, safety and general welfare of residents of the county shall be subject to special limitations or requirements consistent with site-specific features.

(d) All development of land in the unincorporated area of the county shall be in conformance with the comprehensive plan and applicable ordinances.

(e) No development shall be approved unless it has been designed so as to reasonably achieve the following:

- (1) The adequate and efficient supply of utilities and services to new land developments.
  - (2) The prevention of traffic hazards and congestion which result from narrow or poorly aligned streets and from excessive exit and entrance points along major traffic arteries.
  - (3) The provision of safe and convenient traffic circulation, both vehicular and pedestrian, and the minimization of traffic impact on the surrounding area.
  - (4) The protection of public health, safety, and general welfare including protection from flooding and other dangers.
  - (5) The prevention of potential hazards to health and sanitation, especially in those developments served by individual water supply and waste disposal systems.
  - (6) The insurance of proper stormwater management so as to reduce the impact of flooding and protect the receiving natural waterbodies.
- (Ord. No. 92-9, § 1(18-6-1), 3-10-92)

**Sec. 10-1527. General layout design standards.**

(a) A subdivision and every lot therein, as well as each undivided site to be developed, shall have legal access to a publicly dedicated street. Except for use with subdivisions that are to be platted, legal access shall also include licenses of way which are held by property owners, on the condition that the license holder agrees to execute a license recognition agreement with Leon County as a condition for the issuance of the permit. The license recognition agreement shall be in a form approved by the county attorney, and shall include covenants which shall run with the land,

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acknowledging the existence of a terminable license agreement as the access basis for the issuance of the permit and agreeing that the licensee shall hold Leon County harmless for the issuance of such permit. Each permit granted pursuant to this license provision shall only be issued after the department has given notice of intent to issue such permit to the owners of all property that abut the license location, other than the licensor and any entity maintaining a public street adjoining the license area. The requirement for legal access for a lot of record as of January 1, 1984 shall be waived where the existing parcel does not have legal access at the time a permit application is filed for any residential use, provided that the existing parcel has at the time the permit application is filed and has previously maintained actual access through one or more adjoining parcels, one of which is at least 1,000 acres in size; provided that as a condition to approval for such permit, the applicant acknowledges such lack of legal access in a form approved by the county attorney, and records such form in the public records of Leon County, and agrees to hold Leon County harmless for the subsequent issuance of any such permits.

(b) A subdivision shall be designed to include pedestrian ways which promote pedestrian mobility in and between residential developments and between residential development and nearby minor and community development.

(c) No direct driveway access shall be permitted to a canopy road or, inside the urban service area, to a major collector or arterial roadway from any newly created residential subdivision lot, unless a variance is granted by the county.

(d) Access points for a development shall be designed to prevent avoidable interference with traffic flow.

(e) Frontage roads when required shall separate commercial development from adjacent arterial and major connector roadways.

(f) Bicycle lanes and bicycle paths are required in conjunction with planned minor connector and above roadways to provide access in and between developments.

(g) The following apply to easements:

- (1) Off-road utility easements shall be at least 20 feet wide. Off-road utility easements may be reduced, if approved by the county engineer or the utility provider, to minimum of 15 feet in width if it can be adequately demonstrated by the applicant that such width is sufficient for the effective operation and maintenance of said utility(ies). The county shall develop criteria to be utilized by the engineer of record in determining whether or not to allow an off-road utility easement width of less than 20 feet.
- (2) Drainage easements shall conform substantially to the 100-year floodplain of watercourses, waterbodies and wetlands and shall be of sufficient width for construction and maintenance, unless a broader conservation easement is more appropriate.

(h) The following apply to lots:

- (1) No lot shall have a buildable area of less than 35 feet between the front and rear yard setback lines nor shall it be less than the required minimum width and depth specified in article X, or subsequent land development regulations which supersede same. Depth and width of lots subdivided for nonresidential purposes shall be adequate for building area, off-street parking, and service facilities required by the type of use and development anticipated. No lot shall have a minimum frontage of less than 15 feet.
- (2) There shall be no double frontage residential lots access except to provide separation of development from arterial streets or canopy roads or to overcome specific disadvantages of topography, orientation and property size.
- (3) No development shall occur in areas where physical constraints or hazards exist as determined by Article VII. In such areas, density or intensity of use shall be located in adjacent areas to reflect the constraint.